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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/376,876	08/18/1999	MARTIN D. MOODY	19317/101/10	7060

5909 7590 09/07/2005

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EXAMINER

ENG, GEORGE

ART UNIT PAPER NUMBER

2643

DATE MAILED: 09/07/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/376,876	Applicant(s) MOODY, MARTIN D.	
	Examiner George Eng	Art Unit 2643	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 20 June 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-5 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-5 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Amendment

1. This Office action is in response to the amendment filed 6/20/2005.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-5 are rejected under 35 U.S.C. 103(a) as being unpatentable over Aprile (US PAT. 6,363,138) in view of Chavous (US PAT. 5,161,180).

Regarding claim 1, Aprile discloses an emergency message processor (20, figure 1) in a local communication network including supported multiple transmission sources, i.e., calling stations within PBXs, for providing emergency message initiator identification information to an emergency system, (50, figure 1) including an emergency system database, i.e., master ALI database, comprising an information storage unit associated with the local communication network for maintaining emergency message indicia representative of the multiple transmission source to be transmitted under emergency circumstances and obviously including destination address information to which the indicia is to be transmitted, and means for updating the indicia and providing updated indicia from the information storage unit, representative of a transmission

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source capable of implementing transmission, to the emergency system database (col. 3 line 12 through col. 5 line 9). In addition, Aprile teaches the emergency message processor for implement transmission of at least some of the indicia defining a transmission source into at least one public safety answering point precluding a need of additional adjunct equipment in the emergency system which corresponds with the emergency message processor (col. 4 lines 4-21). Aprile differs from the claimed invention in not specifically teaching an initiator for implementing transmission into the emergency system of at least some of the indicia with minimal volitional activity under emergency circumstances. However, it is old and notoriously well known in the art of utilizing initiator, i.e., a panic button or a single switch, for implementing transmission into the emergency system of at least some of the initiator with minimal volitional activity under emergency circumstances, for example see Chavous (col. 3 lines 3-18). Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify Aprile in having the initiator for implementing transmission into the emergency system with minimal volitional activity, as per teaching of Chavous, in order to make user friendly by providing location within a specified geographic area of PBX extensions under emergency circumstances.

Regarding claim 2, Aprile discloses the processor (20, figure 1) interfacing with PBXs (30, figure 1).

Regarding claim 3, Aprile teaches the processor comprising means for managing the PBX (col. 3 lines 25-31).

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Regarding claim 4, Aprile teaches the processing comprising means for manipulating the indicia (col. 3 line 64 through col. 4 line 3), as well as Dounies (col. 2 line 59 through col. 3 line 2 and col. 7 lines 4-12).

Regarding claim 5, Chavous teaches to concurrently transmit emergency message indicia to a monitoring location proximate a transmission source experiencing the emergency circumstance (col. 2 line 3 through col. 3 line 40).

Response to Arguments

4. Applicant's arguments filed 6/20/2005 have been fully considered but they are not persuasive.

In response to applicant's argument that the combination of Aprile and Chavous does not suggest an emergency message processor which includes an initiator for implementing transmission into the emergency system of at least some of the indicia maintained by the local communications network information storage unit, defining a transmission source implementing transmission under emergency circumstances, it is noted that Aprile teaches the emergency message processor (20, figure 1) capable of implementing transmission into the emergency system (50, figure 1) of at least some of the indicia maintained by the local communications network information storage unit (30, figure 1), and Chavous teaches to utilizes an initiator for implementing transmission into the emergency system of at least some of the initiator with minimal volitional activity under emergency circumstances (col. 3 lines 3-18). Thus, one skill in the art would modify Aprile in having the initiator as taught by Chavous in order to make user friendly by providing location within a specified geographic area of PBX extensions under

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emergency circumstances. As a result, the combination of Aprile and Chavous teaches the claimed limitations.

In response to applicant's arguments against the references individually, one cannot show nonobviousness by attacking references individually where the rejections are based on combinations of references. See *In re Keller*, 642 F.2d 413, 208 USPQ 871 (CCPA 1981); *In re Merck & Co.*, 800 F.2d 1091, 231 USPQ 375 (Fed. Cir. 1986).

Conclusion

5. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

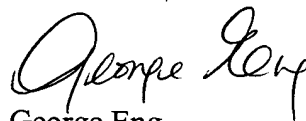
A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to George Eng whose telephone number is 703-308-9555. The examiner can normally be reached on Tue-Fri 7:30 AM-6:00 PM.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Curtis A. Kuntz can be reached on 703-305-4708. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

A handwritten signature in black ink, appearing to read "George Eng".

George Eng
Primary Examiner
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